as ——% below standard of fill. This Product Not for Retail Distribution.''

(3) The statements required by paragraphs (t)(2) (i) and (ii) of this section, which may be consolidated where appropriate, shall appear prominently and conspicuously as compared to other printed matter on the shipping container and in boldface print or type on a clear, contrasting background in order to render them likely to be read and understood by the purchaser under ordinary conditions of purchase.

[41 FR 38619, Sept. 10, 1976, as amended at 54 FR 18279, Apr. 28, 1989]

§ 501.110 Animal feed labeling; collective names for feed ingredients.

(a) An animal feed shall be exempt from the requirements of section 403(i)(2) of the act with respect to its label bearing the common or usual names of the animal feed ingredients listed in paragraph (b) of this section under the following prescribed conditions:

(1) The animal feed is intended solely for livestock and poultry.

(2) The label of the animal feed bears the collective name(s) prescribed in paragraph (b) of this section in lieu of the corresponding common or usual names of the individual feed ingredients contained therein.

(3) The label of the animal feed otherwise conforms to the requirements of section 403(i)(2) of the act.

(4) The ingredients of any feed listed in paragraph (b) of this section neither contain nor are food additives as defined in section 201(s) of the act unless provided for by and in conformity with applicable regulations established pursuant to section 409 of the act.

(b) Each collective name referred to in this paragraph may be used for the purpose of labeling where one or more of the ingredients listed for that collective name are present. The animal feed ingredients listed under each of the collective names are the products defined by the Association of American Feed Control Officials. The collective names are as follows:

(1) *Animal protein products* include one or more of the following: Animal products, marine products, and milk products.

(2) *Forage products* include one or more of the following: Alfalfa meals, entire plant meals, hays, and stem meals.

(3) *Grain products* include one or more of the following: Barley, grain sorghums, maize (corn), oats, rice, rye, and wheat.

(4) *Plant protein products* include one or more of the following: Algae meals, coconut meals (copra), cottonseed meals, guar meal, linseed meals, peanut meals, safflower meals, soybean meals, sunflower meals, and yeasts.

(5) *Processed grain byproducts* include one or more of the following: Brans, brewers dried grains, distillers grains, distillers solubles, flours, germ meals, gluten feeds, gluten meals, grits, groats, hominy feeds, malt sprouts, middlings, pearled, polishings, shorts, and wheat mill run.

(6) *Roughage products* include one or more of the following: Cobs, hulls, husks, pulps, and straws.

PART 502—COMMON OR USUAL NAMES FOR NONSTANDARDIZED ANIMAL FOODS

Sec.

AUTHORITY: Secs. 201, 403, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 343, 371).

§ 502.5 General principles.

(a) The common or usual name of a food, which may be a coined term, shall accurately identify or describe, in as simple and direct terms as possible, the basic nature of the food or its characterizing properties or ingredients. The name shall be uniform among all identical or similar products and may not be confusingly similar to the name of any other food that is not reasonably encompassed within the same name. Each class or subclass of food shall be given its own common or usual name that states, in clear terms, what it is in a way that distinguishes it from different foods.

(b) The common or usual name of a food shall include the percentage(s) of any characterizing ingredient(s) or component(s) when the proportion of such ingredient(s) or component(s) in

the food has a material bearing on price or consumer acceptance or when the labeling or the appearance of the food may otherwise create an erroneous impression that such ingredient(s) or component(s) is present in an amount greater than is actually the case. The following requirements shall apply unless modified by a specific regulation in this part.

(1) The percentage of a characterizing ingredient or component shall be declared on the basis of its quantity in the finished product (i.e., weight/weight in the case of solids, or volume/volume in the case of liquids).

(2) The percentage of a characterizing ingredient or component shall be declared by the words ''containing (or contains) —— percent (or %) ——'' or ''—— percent (or %) ——'' with the first blank filled in with the percentage expressed as a whole number not greater than the actual percentage of the ingredient or component named and the second blank filled in with the common or usual name of the ingredient or component. The word ''containing'' (or ''contains''), when used, shall appear on a line immediately below the part of the common or usual name of the food required by paragraph (a) of this section. For each characterizing ingredient or component, the words ''—— percent (or %) ——''shall appear following or directly below the word ''containing'' (or ''contains''), or directly below the part of the common or usual name of the food required by paragraph (a) of this section when the word ''containing'' (or ''contains'') is not used, in easily legible boldface print or type in distinct contrast to other printed or graphic matter, and in a height not less than the larger of the following alternatives:

(i) Not less than one-sixteenth inch in height on packages having a principal display panel with an area of 5 square inches or less and not less than one-eighth inch in height if the area of the principal display panel is greater than 5 square inches; or

(ii) Not less than one-half the height of the largest type appearing in the part of the common or usual name of the food required by paragraph (a) of this section.

(c) The common or usual name of a food shall include a statement of the presence or absence of any characterizing ingredient(s) or component(s) and/or the need for the user to add any characterizing ingredient(s) or component(s) when the presence or absence of such ingredient(s) or component(s) in the food has a material bearing on price or consumer acceptance or when the labeling or the appearance of the food may otherwise create an erroneous impression that such ingredient(s) or component(s) is present when it is not, and consumers may otherwise be misled about the presence or absence of the ingredient(s) or component(s) in the food. The following requirements shall apply unless modified by a specific regulation in this part.

(1) The presence or absence of a characterizing ingredient or component shall be declared by the words ''containing (or contains) ————'' or ''containing (or contains) no ————'' or ''no ————'' or ''does not contain ————,'' with the blank being filled in with the common or usual name of the ingredient or component.

(2) The need for the user of a food to add any characterizing ingredient(s) or component(s) shall be declared by an appropriate informative statement.

(3) The statement(s) required under paragraph (c) (1) and/or (2) of this section shall appear following or directly below the part of the common or usual name of the food required by paragraphs (a) and (b) of this section, in easily legible boldface print or type in distinct contrast to other printed or graphic matter, and in a height not less than the larger of the alternatives established under paragraph (b)(2) (i) and (ii) of this section.

(d) A common or usual name of a food may be established by common usage or by establishment of a regulation in this part, in a standard of identity, or in other regulations in this chapter.

[41 FR 38627, Sept. 10, 1976. Redesignated at 42 FR 14091, Mar. 15, 1977]

§ 502.19 Petitions.

(a) The Commissioner of Food and Drugs, either on his own initiative or

on behalf of any interested person who has submitted a petition, may publish a proposal to issue, amend, or revoke, under this part, a regulation prescribing a common or usual name for a food, pursuant to part 10 of this chapter.

(b) If the principal display panel of a food for which a common or usual name regulation is established is too small to accommodate all mandatory requirements, the Commissioner may establish by regulation an acceptable alternative, e.g., a smaller type size. A petition requesting such a regulation, which would amend the applicable regulation, shall be submitted pursuant to part 10 of this chapter.

[42 FR 4716, Jan. 25, 1977; 42 FR 10980, Feb. 25, 1977. Redesignated at 42 FR 14091, Mar. 15, 1977, and amended at 42 FR 15675, Mar. 22, 1977; 42 FR 24254, May 13, 1977]

PART 505—INTERPRETIVE STATEMENTS RE: WARNINGS ON ANIMAL DRUGS FOR OVER-THE-COUNTER SALE

Subpart A—Definitions and Interpretations

Sec.

Subpart B—[Reserved]

Subpart C—Voluntary Warning and Caution Statements

AUTHORITY: Secs. 201, 501, 502, 503, 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 351, 352, 353, 360b, 371).

SOURCE: 40 FR 13805, Mar. 27, 1975, unless otherwise noted.

Subpart A—Definitions and Interpretations

§ 505.3 Warnings on animal drugs intended for administration to diseased animals.

None of the warning or caution statements recommended for use in the labeling of drugs intended for administration to diseased animals shall be construed to suggest or imply that any product of a diseased animal is suitable for food use. (See section 402(a)(5) of the act.)

Subpart B—[Reserved]

Subpart C—Voluntary Warning and Caution Statements

§ 505.20 Recommended animal drug warning and caution statements.

ACETYLAMINONITROTHIAZOLE FOR POULTRY.

Warning— Discontinue use at least 1 week before slaughtering birds for food to eliminate the drug from the food.

AMINONITROTHIAZOLE (2-AMINO-5-NITROTHIAZOLE) FOR POULTRY.

Warning— Discontinue use at least 1 week before slaughtering birds for food to eliminate the drug from the food.

ANESTHETICS FOR EXTERNAL USE (LOCAL ANESTHETICS).

Caution— Not for prolonged use. If the condition for which this preparation is used persists or if a rash or irritation develops, discontinue use and consult veterinarian.

ANTHELMINTICS.

Caution— Consult veterinarian before using in severely debilitated animals.

ANTHELMINTICS: PHENOTHIAZINE.

Warning— Do not treat lactating dairy animals.

Caution— Consult veterinarian before using in severely debilitated animals. Individual animals are occasionally sensitive to phenothiazine.

ANTIHISTAMINICS FOR EXTERNAL USE.

Caution— If the condition for which this preparation is used persists or if a rash or irritation develops, discontinue use and consult veterinarian.

ANTISEPTICS FOR EXTERNAL USE.

Caution— In case of deep or puncture wounds or serious burns consult veterinarian. If redness, irritation, or swelling persists or increases, discontinue use and consult veterinarian.

CARBOLIC ACID (PHENOL) PREPARATIONS (MORE THAN 0.5 PERCENT) FOR EXTERNAL USE.

Caution— Use only as directed. Avoid contact with the eyes and mucous membranes. Do not apply to large areas of broken skin. Do not use on cats.